

MESSAGE NO: 9265203 MESSAGE DATE: 09/22/2009

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 9152207
MESSAGE #
(s):

CASE #(s): A-580-816

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/04/1993 TO 07/31/1994

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN CORROSION- RESISTANT CARBON
STEEL FLAT PRODUCTS FROM KOREA (A-580-816)

MESSAGE NO: 9265203

DATE: 09 22 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 9152207

REFERENCE DATE: 06 01 2009

CASES: A - 580 - 816

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PERIOD COVERED: 02 04 1993 TO 07 31 1994

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN CORROSION-
RESISTANT CARBON STEEL FLAT PRODUCTS FROM KOREA
(A-580-816)

1. ON 11/13/2000, THE U.S. COURT OF INTERNATIONAL TRADE (CIT)
ISSUED A FINAL DECISION IN THE CASE OF LACLEDE STEEL COMPANY v.
UNITED STATES (COURT NO. 93-00569).

AS A RESULT OF THIS DECISION, THE INJUNCTION TO WHICH U.S.
CUSTOMS AND BORDER PROTECTION (CBP) MESSAGE 52771111 (DATED
10/04/1994) REFERS ENJOINING LIQUIDATION OF ENTRIES WHICH ARE
SUBJECT TO THE ANTIDUMPING DUTY ORDER ON CERTAIN
CORROSION-RESISTANT CARBON STEEL FLAT PRODUCTS FROM KOREA

DISSOLVED ON 01/15/2001.

2. FOR ALL ENTRIES OF SUBJECT MERCHANDISE FOR WHICH LIQUIDATION WAS NOT ORDERED BY CBP MESSAGE 1297204 (DATED 10/24/2001) OR CBP MESSAGE 9152207 (DATED 06/01/2009), ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 02/04/1993 THROUGH 07/31/1994, LIQUIDATE AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

3. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE FOR WHICH LIQUIDATION WAS NOT ORDERED BY CBP MESSAGE 1297204 (DATED 10/24/2001) OR CBP MESSAGE 9152207 (DATED 06/01/2009), ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD

02/04/1993 THROUGH 07/31/1994. FOR ALL OTHER SHIPMENTS OF CERTAIN CORROSION-RESISTANT CARBON STEEL FLAT PRODUCTS FROM KOREA YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES.

THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER.

INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION.

THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN

EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 353.26(b) OF COMMERCE'S REGULATIONS (AND AS REPLACED BY 351.402(f)(2)).

THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES AND/OR COUNTERVAILING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING AND/OR INCREASE THE ANTIDUMPING DUTY BY THE AMOUNT OF THE COUNTERVAILING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION.

ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING AND/OR COUNTERVAILING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY 07:SB).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CHRISTINE FURGASON

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party